

CABINET

30 July 2018



Minutes of the Cabinet meeting held at the Town Hall, Bexhill-on-Sea on Monday 30 July 2018 at 11:00am.

Cabinet Members present: Councillors C.R. Maynard (Leader), Lord Ampthill, J.J. Carroll, A.E. Ganly, Mrs S. Hart, I.R. Hollidge, Mrs J.M. Hughes, G.P. Johnson and M.J. Kenward (Deputy Leader).

Other Members present: Councillors J. Barnes, J.M. Johnson, B. Kentfield, M. Mooney, P.N. Osborne, J. Potts and M.R. Watson.

Advisory Officers present: Executive Director (MJ), Executive Director (AL) (in part), Head of Service Strategy and Planning, Planning Policy Manager, Head of Service Acquisitions, Transformation and Regeneration, Head of Service Housing and Community, Programme Office & Policy Manager (in part) and Democratic Services Manager.

Also present: 2 members of the public.

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The decisions made under PART II will come into force on 9 August 2018 unless they have been subject to the call-in procedure.

During the course of the meeting, the Chairman welcomed Joe Powell, Head of Service Housing and Community and Ben Hook, Head of Service Acquisition, Transformation and Regeneration who had both recently joined the Council.

CB18/11. MINUTES

The Chairman was authorised to sign the minutes of the meeting held on 2 July 2018 as a correct record of the proceedings.

CB18/12. APOLOGIES FOR ABSENCE

An apology for absence was received from Councillor Mrs E.M. Kirby-Green and the Assistant Director Resources.

PART I – RECOMMENDATIONS TO COUNCIL – not subject to call-in procedure under Rule 16 of the Overview and Scrutiny Procedure Rules.

CB18/13. COMMUNITY GOVERNANCE REVIEW – BATTLE
(7.1)

In February 2018, full Council agreed the Terms of Reference for a Community Governance Review (CGR) of Battle Town Council (BTC) (Minute C17/63 refers).

BTC had requested Rother District Council to undertake a CGR to consider their electoral arrangements, specifically in terms of the number of Town Councillors and were looking for a reduction from 17 to 13. BTC was also keen to maintain four parish wards and not reduce to two as had been proposed by the Local Government Boundary Commission for England (LGBCE) as part of their East Sussex wide review in 2015 and which was due to take effect from May 2019. A minor amendment to the boundary of an existing ward had also been requested.

Due to a lack of staff resources, the CGR had been administered by Surrey Hills Solicitors, overseen by the Executive Director and with input from the local District Ward Councillors. It was noted that the cost would be no more than £5,000, however, RDC was not able to re-charge any costs to BTC as CGRs were a function of principal councils and should be conducted routinely in any event, as part of good governance of their areas.

The consultation process commenced on Friday 22 June and ran until Friday 27 July 2018 and was conducted by way of the Council's website, social media, Citizens' Panel, My Alerts and targeted emails to organisations in Battle as well as the local press. At the time of preparing the report, two responses had been received which broadly supported the proposals put forward. At the close of the consultation, a total of three responses had been received and these were tabled at the meeting in their entirety (subject to the redaction of personal details).

Given the number and nature of responses received, it was proposed that the Council did not proceed to a second stage consultation as originally planned, and Cabinet were therefore requested to recommend to Council the proposed changes. The proposals would take effect from May 2019, to coincide with the four yearly election cycle of the district and Parish and Town Councils.

The proposals, if agreed would require the making of a Community Governance Order as well as seeking the consent of the LGBCE as the boundary and the number of councillors was currently protected electoral arrangements, following their recent review.

RECOMMENDED: That:

- 1) the outcome of the consultation exercise be noted;
- 2) the number of Councillors elected to serve on Battle Town Council be reduced from 17 to 13;
- 3) the boundary between the Netherfield and Watch Oak Parish Wards be amended as per Map 1 in Appendix A;
- 4) the new District Council Wards of North Battle, Netherfield and Whatlington and South Battle and Telham be broadly split along the current Parish boundaries to form four parish wards, namely Netherfield, Watch Oak (within the Rother District Council Ward of North Battle, Netherfield and Whatlington), Marley and

Telham (within the Rother District Council Ward of South Battle and Telham);

- 5) the Executive Director be authorised to undertake the required steps to implement the recommendations arising from the Community Governance Review, including the making of a Community Governance Order; and
- 6) consent be obtained from the Local Government Boundary Commission for England prior to the making of any Community Governance Order.

(Councillor Lord Ampthill declared a personal interest in this matter as President of the East Sussex Association of Local Councils and in accordance with the Members' Code of Conduct remained in the room during the consideration thereof).

PART II – EXECUTIVE DECISIONS – subject to the call-in procedure under Rule 16 of the Overview and Scrutiny Procedure Rules by no later than 4:00pm on 8 August 2018.

CB18/14.
(6.1) **FINAL RECOMMENDATIONS OF THE HOUSING ISSUES TASK AND FINISH GROUP**

The Overview and Scrutiny Committee (OSC) had appointed the Housing Issues Task and Finish Group (HIT&FG) to undertake a scrutiny review into Housing Issues. At its meeting on 23 July, the OSC received the final recommendations from that review and the report considered by the OSC had been submitted to Cabinet in its entirety. Cabinet were updated at the meeting and a copy of the resulting OSC minute and recommendations to Cabinet were tabled (OSC Minute OSC18/13 refers).

The HIT&FG had undertaken a thorough and comprehensive review by way of officer presentations and reports and presentations from many external organisations / stakeholders. The review had considered the many issues that had led to the current position of high demand for housing and housing services and low supply, lack of suitable and affordable housing. The work of the HIT&FG had culminated in the identification of three main recommendations, namely, that a housing and homelessness strategy be developed, to include actions to increase affordable housing delivery and measures be put in place to ensure a sufficient, continuous supply of housing land being promoted.

The Leader of the Council thanked the Members of the HIT&FG and officer support for conducting a detailed and focused review.

The Chairman of the HIT&FG, Councillor J. Barnes addressed Cabinet and thanked all those that had attended meetings of the HIT&FG and given informative and interesting evidence and the officers who had supported the work of the HIT&FG. The Chairman was confident that the recommendations within the report would provide the mechanisms for the Council to be more proactive and take control of the housing

and homelessness agenda, instead of allowing developers to have the upper hand, as it appeared at present.

During the debate the following points were also noted:

- there were very few genuine empty homes across the district, usually as a result of probate; Members were encouraged to report any long-term empty properties that they were aware of within their wards to officers; the matter of empty homes would be incorporated into the Housing and Homeless Strategy and not as a separate strategy;
- with regard to second homes, it was recognised that while some were used as holiday homes by the owner, others were also rented out as holiday lets; the latter contributing more to the local economy;
- the Council's housing officers made regular contact with the homeless on the streets and offered them shelter in times of inclement weather and last week in the extreme heat had been offering water to ensure hydration;
- the Property Investment Panel's remit was to acquire properties that would generate (rental) income to support the Council's budget requirements; whereas the proposed housing company main intention was to assist with addressing housing need;
- using Government funding to purchase properties to support the Council's homeless obligations would bring economic as well as social benefits, however such properties would need to be passed onto a management vehicle; and
- the Council was working with East Sussex County Council colleagues to try and mitigate as far as possible the impact that budget cuts to social care was having on the homelessness agenda.

Cabinet agreed to amend recommendation 3) e. by the inclusion of the words "and cost" at the end of the sentence of the fifth bullet point. It was advised that a consultation draft Homelessness Strategy would be developed and submitted to the OSC in September and approved by Cabinet in October with the final strategy being approved and adopted by the Council in April 2019.

RESOLVED: That:

- 1) A Housing and Homelessness Strategy be developed which includes the following actions in respect of reducing homelessness:
 - a. Consider establishing a regular local multi partner homelessness forum to develop and deliver the homelessness strategy.
 - b. Engage with partners to reduce costs by preventing duplication of services.
 - c. Establish protocols and procedures with social landlords and letting agents operating in Rother.

- d. Consult on options for additional homelessness prevention measures, to include setting up and managing a social lettings agency and securing access to more private rented properties through closer partnerships with local landlords.
 - e. Work with the voluntary sector to explore options for creating a street homelessness centre/hub in Bexhill, with outreach available to rural areas of Rother.
 - f. Update the criteria for Discretionary Housing Payment by April 2019 to better reflect the needs of households affected by welfare reforms.
 - g. Develop a communications plan, to include training, to ensure front line officers, partners and Members are aware of the support available.
- 2) A Housing and Homelessness Strategy be developed, as per 1) above, which includes the following actions in respect of affordable housing delivery:
- a. Create a delivery vehicle or vehicles such as a Local Housing Company and/or public/private partnerships with the following objectives:
 - To acquire emergency and temporary accommodation through the purchase of accommodation for conversion or delivering new build temporary accommodation; and
 - purchasing accommodation for those in housing need – ‘street purchases’ for market or to meet temporary accommodation needs.
 - b. Purchasing and developing ‘stalled’ sites that are vital to the delivery of affordable housing through negotiation or Compulsory Purchase Orders where other options have failed (see also recommendation 3e below).
 - c. Strengthen partnership working with Registered Providers by expanding the number of preferred partners to work with and developing a joint framework/protocol agreement incorporating streamlined planning processes with realistic timeframes and clear guidance notes.
 - d. Working with Registered Providers to explore the opportunity of introducing affordable warmth methods and modern and innovative methods of construction, for example timber framed kits, for all affordable housing developments.
 - e. Continue supporting and working with Action in Rural Sussex, Parish and Town Councils and community groups in identifying suitable sites and delivering community led housing.
- 3) Measures to ensure a sufficient, continuous supply of housing land be promoted, which includes the following actions:

- a. Giving priority to completing the Development and Site Allocations Plan and the production of Neighbourhood Plans, taking account of revised National Planning Policy Framework.
- b. An early review of the Local Plan (Core Strategy) be prioritised, taking account of revised National Planning Policy Framework especially given Government's likely expectation of substantially more housing.
- c. Consideration be given to allowing exception site planning policy to allow for an element of market housing to cross subsidise where viability is an issue, taking account of revised National Planning Policy Framework.
- d. Identification of more "small site" development opportunities, including for custom and self-build housing, possibly working with smaller developers within a public/private partnership.
- e. 'Unblocking' of sites where physical infrastructure and/or ownership factors present a major constraint to development including by:
 - working to find strategic drainage, utilities and digital broadband solutions to support major developments, working with utility companies and respective developers;
 - seeking financial support from Homes England and other Central Government growth funds;
 - working proactively to bring forward development on sites where the Council has a landholding interest;
 - proactively negotiating with developers and landowners to bring forward key development sites; and
 - consideration, as a last resort, of pursuing Compulsory Purchase Orders, being mindful of local sensitivities and cost.
- f. Continuing to invest in strategically important infrastructure projects that boost the market attractiveness of places where growth is planned, potentially including, for example, the development of GP surgeries.
- g. Promoting higher water efficiency standards through the Local Plan as well as exploring the opportunity of introducing 'recycled water' within planning applications, subject to consistency with national requirements and viability considerations.
- h. Promoting higher standards of energy efficiency in new homes through the local plan and working with developers.
- i. Introduce and deliver a Landowners Forum, to take place once every two years, to encourage communication and promote housing development.

- j. Prepare a housing delivery “Action Plan” in response to the new Housing Delivery Test and taking full account of the above, in light of revised National Planning Policy Framework.

(Councillors J.J. Carroll, A.E. Ganly, J.M. Johnson, Mrs G.P. Johnson and P.N. Osborne each declared a personal interest as a landlord and in accordance with the Members’ Code of Conduct remained in the room during the consideration thereof).

CB18/15. **UPDATED STATEMENT OF COMMUNITY INVOLVEMENT**
(7.2)

The Council’s Statement of Community Involvement (SCI) was a statutory document that set out how and when the Council carried out consultations and involved the community in both the preparation of planning policy and in the determination of planning applications. It laid out how the Council would involve different sectors of the community in preparing planning policies or identifying new development sites. The SCI also identified the various stages of plan-making and set general standards of consultation that would be applied at each stage of preparing Local Plans, related sustainability appraisals and supplementary planning guidance.

Whilst the existing statement adopted in 2015 continued to meet most statutory requirements in terms of plan-making, recent legislative changes concerning neighbourhood plans, “permission in principle” and producing and maintaining a Brownfield Land Register needed to be incorporated within the SCI. The review also provided the opportunity to update the SCI in relation to public speaking at Planning Committee which had been introduced in 2015.

A draft SCI was appended to the report for Members’ consideration; a six-week consultation was proposed and comments raised would be considered in finalising the document which would be presented to Cabinet and full Council for adoption in due course.

RESOLVED: That the draft updated Statement of Community Involvement be approved for public consultation, as submitted.

CHAIRMAN

The meeting closed at 11.50am

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